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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8012

UNITED STATES OF AMERICA, Plaintiff, v. Adolfo Jonathan TORRES Defendant	)	Magistrate's Case No.: COMPLAINT FOR VIOLATION OF Title 21 U.S.C.§ 841(a)(1) Possession of a Controlled Substance with Intent to Distribute

The undersigned complainant duly sworn states:

That on or about January 2, 2008, within the Southern District of California, defendant Adolfo Jonathan TORRES did knowingly and intentionally possess with intent to distribute approximately 1,738.68 kilograms (3,833.79 pounds) of marijuana, a Schedule I Controlled Substance, in violation of Title 21 United States Code, Section 841(a)(1).

And the complainant states that this complaint is based on the attached Probable Cause Statement, which is incorporated herein by reference.

Barbara Hopkins, Special Agent
Drug Enforcement Administration

Sworn to before me and subscribed in my presence, January 10, 2008.

Peter C. Lewis
UNITED STATES MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Adolfo Jonathan TORRES

STATEMENT OF FACTS

I, Special Agent Barbara Hopkins, of the Drug Enforcement Administration declare the following is true and correct:

On January 2, 2008, at approximately 7:00 PM Drug Enforcement Administration (DEA) agents, along with the Imperial County Sheriff's Office and El Centro Police Department conducted a search with the consent of Daniel FIGUEROA-Moreno of 1711 Lenrey Avenue, El Centro, California. Upon searching the residence, agents located approximately 3,833.79 pounds of marijuana in three of the four bedrooms in the residence. In the closet of the bedroom that contained personal property of Adolfo Jonathan TORRES, agents discovered approximately 25 bundles of marijuana.

On January 2, 2008, DEA SA Jeff Butler and Imperial County Sheriff's Office Deputy Camilo Gonzalez conducted an interview of Daniel FIGUEROA-Moreno. FIGUEROA is a resident of the 1711 Lenrey Avenue address. FIGUEROA stated an individual in Mexico known only as "E" contacted FIGUEROA and instructed him to locate a house to rent for the purpose of storing marijuana. FIGUEROA stated "E" sent him $1,300.00 for the rent at the 1711 Lenrey Avenue address. "E" also sent FIGUEROA $600.00 every two weeks as payment to FIGUEROA and others to watch over the marijuana and allow access to the house for individuals moving marijuana into and out of the residence. FIGUEROA also stated the last shipment of marijuana to the house was on December 20 or 21, 2007.

On January 2, 2008, SA Adriel Villacorta and Barbara Hopkins interviewed Ricardo FIGUEROA, who is the brother of Daniel FIGUEROA. R. FIGUEROA was present at the 1711 Lenrey address on the night of January 2, 2008, and was arrested following the discovery of the above mentioned marijuana. R. FIGUEROA stated besides Daniel FIGUEROA, Horaldo FLORES and Christian GUTIERREZ, an individual named Adolfo Jonathan TORRES, AKA "Jonathan", also resided at the residence. This was evidenced by pay stubs, photographs and other paperwork in the name of Adolfo Jonathan TORRES which were located in the bedroom which contained 25 bundles of marijuana. R. FIGUEROA further stated TORRES was at the 1711 Lenrey address on the night of January 2, 2008, but quickly fled out the back door when police officers rang on the doorbell.

On January 9, 2008, DEA special agents (SA) Victor Vazquez, Matthew Lankenau, Jim Hughes and ATF agent Armando Hernandez arrested Adolfo Jonathan TORRES at his place of employment in El Centro, California. SAs Hughes and Hopkins began an interview of TORRES. SA Hughes read TORRES Miranda Warnings via a DEA 13A card. TORRES acknowledged his rights and agreed to answer questions without an attorney being present. TORRES stated he had been residing at the 1711 Lenrey Avenue address since mid-December 2007. TORRES stated he was aware that marijuana was being kept at the house. TORRES stated while being the sole occupant of the residence, he came in contact with an individual who parked a pickup truck containing marijuana in the garage of the residence. TORRES later stated he observed Daniel FIGUEROA-Moreno and the individual with the pickup truck packaging and storing marijuana inside the residence. TORRES stated he did not pay for room and board. TORRES stated he chose to remain living at the residence despite knowing that marijuana was being stored there. TORRES further stated on the night of January 2, 2008, he observed police officers at the front door of the house and after looking out the front window, he fled out the back door. TORRES stated he fled the house because he knew a large quantity of marijuana was being stored there.